

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLAINT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS

RULE 63 (37 C.F.R. 1.55)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSHMAN  
FORM

I, as a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the **MESSAGE PROVIDING SYSTEM FOR TERMINAL USER, HAVING COMMUNICATIONS NETWORK**

the specification of which (CHECK applicable BOX(ES))

→ ☐ is attached hereto.

X → ☐ was filed on

as U.S. Application No. 0 /

PCT/JP97/00564

on February 26, 1997

BOX(ES) ☒ was filed as PCT International Application No. PCT/

→ and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

| Number    | Country | Day/MONTH/Year Filed |
|-----------|---------|----------------------|
| H8-67278  | JAPAN   | 28/02/96             |
| H8-139689 | JAPAN   | 10/05/96             |

Date first Laid-  
open or Published

Date Patented  
or Granted

Priority Claimed  
Yes No

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I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

| Application No. (series code/serial no.) | Day/MONTH/Year Filed |
|--|----------------------|
| 60/022,171                               | 15/07/96             |
| 60/023,577                               | 19/08/96             |
| 08/795,397                               | 04/02/97             |

Status  
pending, abandoned, patented

Priority Claimed  
Yes No

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Cushman Darby & Cushman Intellectual Property Group of Pillsbury Madison & Sutro LLP, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

| Name                 | Address | City              | State/Foreign Country | Country of Citizenship |       |                    |       |
|----------------------|---------|-------------------|-----------------------|------------------------|-------|--------------------|-------|
| Paul N. Kokulis      | 16773   | David W. Brinkman | 20817                 | Chris Conant           | 37037 | Mark G. Paulson    | 30793 |
| Raymond F. Lippitt   | 17519   | George M. Sirilla | 18221                 | Lawrence Harbin        | 28047 | James D. Berquist  | 34778 |
| G. Lloyd Knight      | 17698   | Donald J. Bird    | 25323                 | Paul E. White, Jr.     | 32011 | Timothy J. Klima   | 34852 |
| Carl G. Love         | 18781   | W. Warren Edgell  | 25323                 | Michelle N. Lester     | 32331 | John P. Moran      | 30806 |
| Edgar H. Martin      | 20534   | Peter W. Gowdey   | 25872                 | Jeffrey A. Sienauer    | 24238 | Stephen C. Glazier | 31361 |
| William K. West, Jr. | 22057   | Dale S. Lazar     | 28872                 | G. Paul Edgell         | 24238 | Paul F. McQuade    | 31542 |
| Kevin E. Joyce       | 20508   | Glenn J. Perry    | 28458                 | Lynn E. Eccleston      | 35861 | Barry L. Grossman  | 30844 |
| Edward M. Prince     | 22429   | Kendrew H. Colton | 30368                 | David A. Jakopin       | 32995 |                    |       |

(1) INVENTOR'S SIGNATURE: *Yuichiro*

Date: X 2/FEB/1998

|                     |                                |                        |
|---------------------|--------------------------------|------------------------|
| Yuichiro            | ITAKURA                        |                        |
| First               | Middle Initial                 | Family Name            |
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| (include Zip Code)  | X 108                          |                        |

(2) INVENTOR'S SIGNATURE: *Yuichiro*

Date: X 26/JAN/1998

|                     |   |                        |
|---------------------|---|------------------------|
| Yuichiro            | TSUTSUI                                   |                        |
| First               | Middle Initial                            | Family Name            |
| Residence           | JAPAN                                     | JAPAN                  |
| City                | State/Foreign Country                     | Country of Citizenship |
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| (include Zip Code)  | X 153                                     |                        |

(FOR ADDITIONAL INVENTORS, check box ☒ to attach CDC 116-2 same information for each re signature, name, date, citizenship, residence and address.)

**Exhibit B**  
**Memorandum Of License**

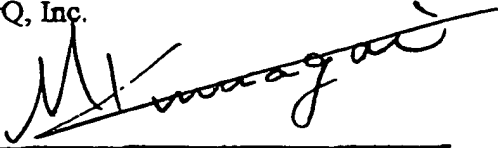
InterQ, Inc., having a place of business at 20-1, Sakuragaoka, Shibuya-ku, Tokyo, Japan ("InterQ"), in an agreement entitled "License Agreement," dated May 10, 2000, did grant an exclusive license to NetZero, Inc., having a principal place of business at 2555 Townsgate Rd., Westlake Village, CA 91361-2650 ("NetZero") in and to the patent applications listed below, and any patent that may issue therefrom, including continuations and divisionals.

- 1) HY96002 Family (corresponding to PCT JP9700563):
  - a) US Application No. 09/125,833 entitled, "Communication System Capable of Providing User With Picture Meeting Characteristics of User and Terminal Equipment and Information Providing Device Used for the Same."
  - b) Canada Application No. 2,247,325 entitled, "Communication System Capable of Providing User With Picture Meeting Characteristics of User and Terminal Equipment and Information Providing Device Used for the Same."
- 2) HY96003 Family (corresponding to PCT JP0001546)
  - a) US Application No. 09/188,571 entitled, "Message Searching System and Terminal."
  - b) Canada Application No. 2,253,944 entitled, "Message Searching System and Terminal."
- 3) HY96004 Family (corresponding to PCT JP9701907)
  - a) US Application No. 09/206,385 entitled "Terminal Information Providing Device, System and Recording Medium."
  - b) Canada Application No. 126979 entitled "Terminal Information Providing Device, System and Recording Medium."
- 4) HY96005 Family (corresponding to PCT JP9700125)
  - a) US Application No. 09/117,331 entitled, "Information Display System."
  - b) Canada Application No. 2,244,002 entitled, "Information Display System."
- 5) HY96014 Family (corresponding to PCT JP9700564)
  - a) US Application No. 09/125,894 entitled "Communication System for Distributing Such Message as Advertisement to User of Terminal Equipment."
  - b) Canada Application No. 2,247,330 entitled "Communication System for Distributing Such Message as Advertisement to User of Terminal Equipment."
- 6) HY96016 Family (corresponding to PCT JP9703426)
  - a) US Application No. 09/276,708 entitled, "Terminal Which Stores Information on Communication Network in Local Memory Automatically."



In witness hereof, InterQ and NetZero have each caused this Memorandum of License to be executed by its duly authorized officer on this 10th day of May, 2000.

interQ, Inc.



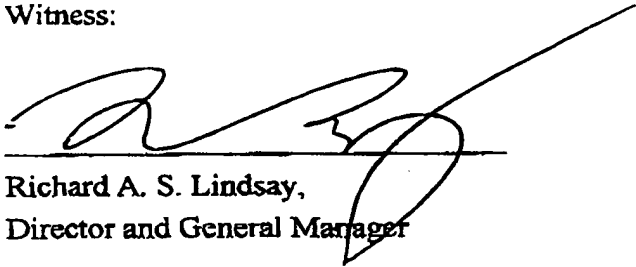
By: Masatoshi Kumagai  
C.E.O.

NetZero, Inc.



By: Frederic Randall  
Senior V.P./General Counsel

Witness:



Richard A. S. Lindsay,  
Director and General Manager

